

## **CITY OF ROSENBERG REGULAR COUNCIL MEETING MINUTES**

On this the 18<sup>th</sup> day of March, 2014, the City Council of the City of Rosenberg, Fort Bend County, Texas, met in a Regular Session, in the Rosenberg City Hall Council Chamber, located at 2110 4th Street, Rosenberg, Texas.

### **PRESENT**

Vincent M. Morales, Jr.	Mayor
William Benton	Councilor at Large, Position 1
Cynthia McConathy	Councilor at Large, Position 2
Jimmie J. Pena	Councilor, District 1
Susan Euton	Councilor, District 2
Dwayne Grigar	Councilor, District 3
Amanda Bolf	Councilor, District 4

### **STAFF PRESENT**

Robert Gracia	City Manager
Linda Cernosek	City Secretary
John Maresh	Assistant City Manager for Public Services
Jeff Trinker	Executive Director of Support Services
Lora Lenzsch	City Attorney
Charles Kalkomey	City Engineer
Joyce Vasut	Executive Director for Administrative Services
Dallis Warren	Police Chief
Tracie Dunn	Police Lieutenant
Wade Goates	Fire Chief
Lisa Olmeda	Human Resources Director
Randall Malik	Economic Development Director
Rachelle Kanak	Assistant Economic Development Director
Travis Tanner	Executive Director of Community Development
Darren McCarthy	Parks and Recreation Director
Angela Fritz	Communications Director
Kaye Supak	Executive Assistant
John Johnson	Police Officer
Tommy Havelka	Police Officer

**The City Council reserves the right to adjourn into Executive Session at any time during the course of this meeting to discuss any of the matters listed below, as authorized by Title 5, Chapter 551, of the Texas Government Code.**

### **CALL TO ORDER.**

Mayor Morales called the meeting to order at 7:00 p.m.

### **INVOCATION AND PLEDGE OF ALLEGIANCE.**

Pastor David Hodges, Grace Community Bible Church, Richmond gave the invocation and led the pledge of allegiance to the flag.

### **PRESENTATION OF PROCLAMATION RECOGNIZING MARCH 2014 AS INTELLECTUAL DISABILITY AWARENESS MONTH IN THE CITY OF ROSENBERG.**

Mayor Morales presented a proclamation recognizing March 2014 as Intellectual Disability Awareness Month in the City of Rosenberg to representatives of Texana Center.

### **PRESENTATION OF PROCLAMATION RECOGNIZING APRIL 2014 AS KEEP AMERICA BEAUTIFUL MONTH IN THE CITY OF ROSENBERG.**

Mayor Morales presented a Proclamation Recognizing April 2014 as Keep America Beautiful Month in the City of Rosenberg to Nancy Talasek representing the Image Committee.

#### **GENERAL COMMENTS FROM THE AUDIENCE.**

*Citizens who desire to address the City Council with comments of a general nature will be received at this time. Each speaker is limited to three (3) minutes. In accordance with the Texas Open Meetings Act, the City Council is restricted from discussing or taking action on items not listed on the agenda. It is our policy to have all speakers identify themselves by providing their name and residential address when making comments.*

Robert Oberhoff, 815 Brooks Avenue, Rosenberg, addressed Council to propose the following items in the City:

- Bike Trails
- Fiber Optics
- City Wide Sidewalks
- High End High Rises

#### **COMMENTS FROM THE AUDIENCE FOR CONSENT AND REGULAR AGENDA ITEMS.**

*Citizens who desire to address the City Council with regard to matters on the Consent Agenda or Regular Agenda will be received at the time the item is considered. Each speaker is limited to three (3) minutes. Comments or discussion by the City Council Members will only be made at the time the agenda item is scheduled for consideration. It is our policy to have all speakers identify themselves by providing their name and residential address when making comments.*

### **CONSENT AGENDA**

#### **1. REVIEW OF CONSENT AGENDA.**

*All Consent Agenda items listed are considered to be routine by the City Council and may be enacted by one (1) motion. There will be no separate discussion of Consent Agenda items unless a City Council Member has requested that the item be discussed, in which case the item will be removed from the Consent Agenda and considered in its normal sequence on the Regular Agenda.*

- A. **CONSIDERATION OF AND ACTION ON REGULAR MEETING MINUTES FOR FEBRUARY 18, 2014, WORKSHOP MEETING MINUTES FOR FEBRUARY 25, 2014, AND SPECIAL MEETING MINUTES FOR MARCH 03, 2014.**
- B. **CONSIDERATION OF AND ACTION ON A SHORT FORM FINAL PLAT OF LAMAR CISD ELEMENTARY SCHOOL NO. 23; 0 LOTS, 1 BLOCK, 1 RESERVE; BEING 14.26 ACRES IN THE ROBERT E. HANDY SURVEY, ABSTRACT 187, CITY OF ROSENBERG, FORT BEND COUNTY, TEXAS.**

**Executive Summary:** The Short Form Final Plat of Lamar CISD Elementary School No. 23 fronts on the south side of August Green Drive, west of FM 2977 and adjoining the site of the City's Fire Station No. 3, currently under construction. It is located within the City Limits and in Fort Bend County Municipal Utility District No. 144 (MUD No. 144). The Plat consists of one (1) reserve and 14.26 acres.

Because the Plat has only one (1) reserve and does not require the dedication or alteration of any streets, it meets the criteria for a short form final plat under the "Subdivision" Ordinance. This essentially means that a Preliminary Plat did not have to be submitted. The proposed Plat is consistent with the approved Land Plan for Summer Lakes and Waterford Park, which calls for commercial development of this tract (as opposed to residential).

The proposed Short Form Final Plat is not in conflict with the "Subdivision" Ordinance, the approved Land Plan, or with the Development Agreement for MUD No. 144. The Planning Commission recommended approval to City Council of this Plat on February 26, 2014. There being no further issues, staff recommends approval of the Short Form Final Plat of Lamar CISD Elementary School No. 23.

- C. **CONSIDERATION OF AND ACTION ON A SHORT FORM FINAL PLAT OF MYSKA CORNER, 2 LOTS, 1 BLOCK, 0 RESERVES, BEING A REPLAT OF LOT 6 AND THE EAST 85 FEET OF LOT 5, BLOCK 2, LOUIS POLKA SUBDIVISION (VOLUME 241, PAGE 631, D.R.F.B.C.T.) IN THE HENRY SCOTT LEAGUE, ABSTRACT 83, CITY OF ROSENBERG, FORT BEND COUNTY, TEXAS.**

**Executive Summary:** The Short Form Final Plat of Myska Corner is located at the northeast corner of 4<sup>th</sup> Street and Bernie Avenue. It is a replat of Lot 6 and part of Lot 5 of Block 2 of Louis Polka Subdivision. The subdivision was originally platted in 1947.

The Plat proposes to formally plat two (2) residential lots that were already subdivided by metes and bounds in 1972. There is no net increase in the number of units as there is already a residence on proposed Lot 1 and an existing mobile home on Lot 2. The proposed lots meet all the requirements for lot size, building lines, etc., as set forth in the "Subdivision" Ordinance. The Plat also does not render the remainder of Lot 5 out of compliance with any requirements. There is an existing residence on Lot 5 as well.

The Plat meets the criteria for a Short Form Final Plat based on the number of lots and no streets being created or altered. Therefore a preliminary plat submittal was not required. The Short Form Final Plat is not in conflict with any of the applicable regulations. Because this is a replat, per State law and the "Subdivision" Ordinance, a public hearing was held at the February 26, 2014 Planning Commission meeting. There were no comments from the public. The Planning Commission subsequently recommended approval of the Plat to City Council. Staff recommends approval of the Short Form Final Plat of Myska Corner.

- D. **CONSIDERATION OF AND ACTION ON A FINAL PLAT OF THE RESERVE AT BRAZOS TOWN CENTER SECTION THREE, A 17.5794 ACRE TRACT OF LAND BEING A PARTIAL REPLAT OF RESERVE "H", BLOCK 4, THE VILLAGES AT ROSENBERG (SLIDE NO. 1945 A&B; F.B.C.P.R.) CONVEYED TO FIGURE FOUR PARTNERS, LTD. (F.B.C.C.F. NO. 2013159055) IN THE JANE H. LONG LEAGUE, ABSTRACT NO. 55, AND IN THE SIMON JONES SURVEY, ABSTRACT NO. 271, CITY OF ROSENBERG, FORT BEND COUNTY, TEXAS; 2 RESERVES, 62 LOTS, 3 BLOCKS.**

**Executive Summary:** The Final Plat of the Reserve at Brazos Town Center Section Three is located on the north side of Town Center Boulevard near its intersection with Vista Drive. It is within the City Limits and in Fort Bend County Municipal Utility District No. 167 (MUD No. 167). The Plat consists of 17.58 acres, sixty-two (62) residential lots, and two (2) reserves. The Land Plan was amended on December 18, 2013, to allow the proposed fifty-foot (50') lots on the tract. Conditions for the approval of the 50' lots were as follows:

- Minimum house size of 1,650 square feet
- Minimum of fifty-one percent (51%) masonry exterior

The above conditions are noted on the Plat. The Preliminary Plat of this subdivision was approved by the Planning Commission on January 22, 2014. The proposed Final Plat is consistent with the approved Preliminary Plat. Because it is a replat, in accordance with the "Subdivision" Ordinance and state law, a public hearing was held at the February 26, 2014 Planning Commission meeting. There were no comments from the public. The Plat not being in conflict with any regulations, the Planning Commission subsequently recommended approval of the Plat to City Council. Staff recommends approval of the Final Plat of the Reserve at Brazos Town Center Section Three.

- E. **CONSIDERATION OF AND ACTION ON RESOLUTION NO. R-1761, A RESOLUTION AUTHORIZING THE ROSENBERG POLICE DEPARTMENT'S SUBMISSION OF AN APPLICATION FOR THE VICTIMS OF CRIME ACT (VOCA) FORMULA GRANT FOR THE POSITION OF CRIME VICTIM LIAISON, AND AUTHORIZING THE CITY MANAGER TO EXECUTE ALL NECESSARY DOCUMENTATION REGARDING SAME.**

**Executive Summary:** The Police Department is mandated by state statute to provide services to victims

of certain crimes.

The City applied for and received grant funding under the Victim of Crime Act (VOCA) to provide for a full time Crime Victim Advocate under the 2013 grant program year. This grant application will continue to fund this position and would provide eighty percent (80%) funding. A twenty percent (20%) match would be required from the City under this grant program. If awarded, this continuation grant would begin on September 01, 2014, and ending August 31, 2015. If approved, this will be the third year we have received this award.

Staff recommends approval of Resolution No. R-1761 which will finalize the grant application process and designate the City Manager as the authorized official to accept the award and execute any and all necessary documentation related thereto.

**Action:** Councilor McConathy made a motion, seconded by Councilor Grigar to approve the Consent Agenda Items A through E. The motion carried by a unanimous vote.

## **REGULAR AGENDA**

2. **CONSIDERATION OF AND ACTION ON RESOLUTION NO. R-1766, A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE AND SUBMIT AN APPLICATION TO THE COMMUNITY DEVELOPMENT BLOCK GRANT FUND FOR NORTH ROSENBERG WATER DISTRIBUTION IMPROVEMENTS - PHASE II FOR APPROXIMATELY \$210,000.00.**

**Executive Summary:** Community Development Block Grant (CDBG) requests are being accepted by Fort Bend County Community Development for the HUD program year 2014. Staff is requesting City Council's approval to pursue the construction and completion of water line infrastructure improvements to serve the north side of Rosenberg. This proposed project will be Phase II of a water infrastructure project originally approved by CDBG for funding in 2005 to improve potable water service to the north side of Rosenberg. This rehabilitation project will offer relief of a long-standing deficiency in the City's infrastructure. The project must be located within a designated area that meets the low to moderate income level criteria based on the 2000 Census data. The 2010 Census data has not yet been incorporated into the CDBG Program but the County will forward the applicable data when available.

The application will include a request for CDBG funding for approximately \$210,000.00. The application will indicate a proposed local match of 10% for construction contingency and the City will pay for engineering. If the application is approved for funding, the local matching funds would be included in a future budget. Requests must be submitted no later than March 21, 2014. Staff recommends approval of the project application submission as proposed in Resolution No. R-1766.

**Key discussion points:**

- John Maresh, Assistant City Manager for Public Services read the Executive Summary regarding Resolution No. R-1766.
- Councilor Benton asked specifically which streets this project will cover.
- John Maresh explained this phase of the project would be a waterline replacement starting at Avenue F heading north; cross under both railroad lines that would go to Avenue E and perhaps up to Avenue D if funding allows and a section on Avenue D from 3<sup>rd</sup> Street to 5<sup>th</sup> Street.

**Action:** Councilor Benton made a motion, seconded by Councilor McConathy to approve Resolution No. R-1766, a Resolution authorizing the City Manager to execute and submit an application to the Community Development Block Grant Fund for North Rosenberg Water Distribution Improvements - Phase II for approximately \$210,000.00. The motion carried by a unanimous vote.

3. **CONSIDERATION OF AND ACTION ON RESOLUTION NO. R-1767, A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE, FOR AND ON BEHALF OF THE CITY, A PROPOSAL FOR ENGINEERING AND SURVEYING SERVICES FOR LIFT STATION NO. 11 REPLACEMENT, BY AND BETWEEN THE CITY AND JONES AND CARTER, INC., IN THE AMOUNT OF \$160,000.00.**

**Executive Summary:** During the January 28, 2014, City Council Workshop, staff provided information

regarding the replacement of specific lift stations as a part of the overall discussion regarding the condition of the sanitary sewer collection system within the Wastewater Treatment Plant No. 1A service area. Cost estimates were also provided. The overall objective is to complete all of the sewer line rehabilitation work and lift station replacements within the next three (3) to four (4) year period.

The replacement of Lift Station No. 11 ranked as the highest priority amongst the twenty-seven (27) lift stations owned by the City. This particular lift station was constructed thirty-eight (38) years ago in 1976 and has exceeded its useful life cycle. Much of the equipment is antiquated and repair/replacement parts are becoming increasingly difficult to obtain. This lift station regularly experiences operational problems and is no longer reliable. This is a major lift station and proactive measures should be taken in order to prevent a catastrophic failure. Supervisory Control and Data Acquisition (SCADA) equipment will also be installed on both this lift station and the reclaimed water distribution system equipment located at Seabourne Creek Park and Wastewater Treatment Plant No. 2 as a part of this Project. The SCADA equipment will allow for remote system monitoring and control, further improving reliability.

The Water/Wastewater fund balance has sufficient funding for completion of the engineering services phase of the Project. A budget adjustment will be presented at the April 01, 2014 City Council Meeting. The Engineering Services Agreement will be executed at such time the budget adjustment is approved. Upon completion of the engineering design and bidding process, the construction bid award would be placed on a future Agenda for City Council consideration and approval. The preliminary construction cost estimate for this phase of the Project is approximately \$1.1 million dollars. The construction will be funded with proceeds from proposed FY2014 Certificates of Obligation or Revenue Bonds, which will also be presented at the April 01, 2014 City Council Meeting.

Staff recommends approval of Resolution No. R-1767, authorizing the City Manager to execute a Proposal with Jones and Carter, Inc., for the engineering and surveying services for the Lift Station No.11 Replacement, including SCADA equipment, in the amount of \$160,000.00.

**Key discussion points:**

- John Maresh read the Executive Summary regarding Resolution No. R-1767.
- Councilor Benton stated the lift station is located on FM 2218 across the street from Terry High School faculty parking lot and close to the Fort Bend Central Appraisal District. This is a pump station for sewage. He is scared of the \$1.1 million dollar certificate of obligation.
- Councilor Pena stated this is one of the reasons we need to be proactive on measures like this. We have antiquated equipment and we need to fix it and we need to prepare for the future growth of this city.

**Action:** Councilor McConathy made a motion, seconded by Councilor Bolf to approve Resolution No. R-1767, a Resolution authorizing the City Manager to execute, for and on behalf of the City, a Proposal for Engineering and Surveying Services for Lift Station No. 11 Replacement, by and between the City and Jones and Carter, Inc., in the amount of \$160,000.00. The motion carried by a unanimous vote.

4. **CONSIDERATION OF AND ACTION ON RESOLUTION NO. R-1768, A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE, FOR AND ON BEHALF OF THE CITY, A CONTRACT FOR ENGINEERING SERVICES FOR SANITARY SEWER PIPE BURSTING PROJECT FOR ENGINEERING AND SURVEYING SERVICES FOR THE FY2014 SANITARY SEWER PIPE BURSTING PROJECT, BY AND BETWEEN THE CITY AND KELLY R. KALUZA AND ASSOCIATES, INC., IN THE AMOUNT OF \$369,400.00.**

**Executive Summary:** During the January 28, 2014, City Council Workshop, staff provided information regarding the overall condition of the sanitary sewer collection system within the Wastewater Treatment Plant No. 1A service area. Cost estimates to replace the remainder of the sewer collection system lines, certain lift stations, and replacement of the chemical disinfection system at the wastewater treatment plant were also provided. The overall objective is to complete the rehabilitation work in this service area within the next three (3) to four (4) year period.

The proposed FY2014 Sanitary Sewer Pipe Bursting Project (Project) is the next phase of the sewer

collection system line replacement. This Project will complete the replacement of collection system lines north of Avenue F, along with additional lines that have deteriorated to the point beyond repair. This Project is necessary to maintain compliance with Texas Commission on Environmental Quality (TCEQ) regulations regarding sanitary sewer overflows and increased inflow/infiltration flows experienced during rain events. The Water/Wastewater Fund balance has sufficient funding for completion of the engineering services phase of the Project. A budget adjustment will be presented at the April 01, 2014 City Council Meeting. The Contract will be executed at such time the budget adjustment is approved. Upon completion of the engineering design and bidding process, the construction bid award would be placed on a future Agenda for City Council consideration and approval. The preliminary construction cost estimate for this phase of the Project is approximately \$3.5 million dollars. The construction will be funded with proceeds from proposed FY2014 Certificates of Obligation or Revenue Bonds, which will also be presented at the April 01, 2014 City Council Meeting.

Staff recommends approval of Resolution No. R-1768, authorizing the City Manager to execute a Contract for Engineering Services for Sanitary Sewer Pipe Bursting Project with Kelly R. Kaluza & Associates, Inc., for the engineering and surveying services for the FY2014 Sanitary Sewer Pipe Bursting Project, in the amount of \$369,400.00.

**Key discussion points:**

- John Maresh read the Executive Summary regarding Resolution No. R-1768.
- The general consensus of Council was that the need for this project is great.
- Councilor Pena commended John Maresh and staff for a good job.

**Action:** Councilor McConathy made a motion, seconded by Councilor Benton to approve Resolution No. R-1768, a Resolution authorizing the City Manager to execute, for and on behalf of the City, a Contract for Engineering Services for Sanitary Sewer Pipe Bursting Project for engineering and surveying services for the FY2014 Sanitary Sewer Pipe Bursting Project, by and between the City and Kelly R. Kaluza and Associates, Inc., in the amount of \$369,400.00. The motion carried by a unanimous vote.

5. **CONSIDERATION OF AND ACTION ON RESOLUTION NO. R-1770, A RESOLUTION REGARDING THE GUIDELINES AND CRITERIA, GRANT APPLICATION AND APPLICATION FOR APPEAL REQUEST FOR THE CITY OF ROSENBERG BUSINESS ASSISTANCE GRANT PROGRAM.**

**Executive Summary:** On February 25, 2014, City Council discussed proposed revisions to the Avenue H Business Assistance Grant Program. Staff was directed to revise the proposed agreement to address the maintenance of landscaping in the grant criteria, raise the maximum grant award to \$10,000, and develop an appeals process for applicants who were denied a grant. The redlined copy of the Business Assistant Grant Program Guidelines and Criteria incorporating these changes was included in the agenda packet. Staff was directed to make the requested revisions and submit to City Council for consideration of the revised criteria.

Resolution No. R-1770 includes the revised Program guidelines as Exhibit "A", the grant application as Exhibit "B", and the application for appeal request as Exhibit "C". Staff recommends approval of Resolution No. R-1770 as presented.

**Key discussion points:**

- Rachelle Kanak, Assistant Economic Development Director, read the Executive Summary regarding Resolution No. R-1770.
- The general consensus of Council was to move forward with the program as presented to increase the maximum grant award to \$10,000.00.

**Action:** Councilor Bolf made a motion, seconded by Councilor Benton to approve Resolution No. R-1770, a Resolution regarding the Guidelines and Criteria, Grant Application and Application for Appeal Request for the City of Rosenberg Business Assistance Grant Program. The motion carried by a unanimous vote.

6. **CONSIDERATION OF AND ACTION ON RESOLUTION NO. R-1763, A RESOLUTION AUTHORIZING THE USE OF ROSENBERG DEVELOPMENT CORPORATION FUNDS FOR PARK IMPROVEMENTS**

**IN THE AMOUNT OF \$47,720.00 AS RECOMMENDED BY THE ROSENBERG DEVELOPMENT CORPORATION AND THE PARKS AND RECREATION BOARD.**

**Executive Summary:** At the regularly scheduled February 27, 2014 Parks and Recreation Board (Board) meeting, the Board reviewed and discussed proposals regarding park improvements funded by the Rosenberg Development Corporation (RDC). After reviewing the recommended expenditures that included painting the park entrance signs, resurfacing of all tennis courts, restriping of all basketball courts, and purchasing and planting trees, the Board unanimously approved the recommendations.

Staff recommends approval of Resolution No. R-1763, a Resolution authorizing the use of Rosenberg Development Corporation funds for park improvements in the amount of \$47,720.00 as recommended by the Rosenberg Development Corporation and the Parks and Recreation Board.

**Key discussion points:**

- Darren McCarthy, Parks and Recreation Director read the Executive Summary regarding Resolution No. R-1763.
- Councilor Grigar commented he is glad to see the "Keep America Beautiful" award and that with our youth we are keeping up with our parks.
- Councilor Bolf commented that Darren McCarthy is very studious in coming in under budget and this will be used to restripe the basketball courts.
- Councilor McConathy commented it will look wonderful.

**Action:** Councilor Bolf made a motion, seconded by Councilor Grigar to approve Resolution No. R-1763, a Resolution authorizing the use of Rosenberg Development Corporation funds for park improvements in the amount of \$47,720.00 as recommended by the Rosenberg Development Corporation and the Parks and Recreation Board. The motion carried by a unanimous vote.

7. **CONSIDERATION OF AND ACTION ON ORDINANCE NO. 2014-13, AN ORDINANCE AMENDING THE CODE OF ORDINANCES BY DELETING SECTIONS 23-27, 23-29, AND 23-31 OF ARTICLE II OF CHAPTER 23 THEREOF AND SUBSTITUTING THEREFOR NEW SECTIONS 23-27, 23-29, AND 23-31; PROVIDING FOR CURBSIDE SOLID WASTE COLLECTION, GUIDELINES FOR SOLID WASTE AND/OR RECYCLING CARTS, AND ESTABLISHING SPECIFIC TIMES FOR THE PLACEMENT OF SAID CARTS OUT FOR SERVICE; AND PROVIDING FOR SEVERABILITY.**

**Executive Summary:** This item amends the Code of Ordinances to correct an inconsistency related to the collection of solid waste. The Ordinance currently states that collection occurs twice per week, which is a remnant of the previous Contract. The Ordinance has been revised to no longer refer to collection frequency so that the Code of Ordinances will not require amending due to Contract changes for solid waste service.

Additionally, an exception has been added to establish a requirement to use the solid waste and/or recycling carts provided for automated curbside service as well as a specific timeframe for setting out carts for service and retrieving carts once they have been emptied.

Staff recommends approval of Ordinance No. 2014-13.

**Key discussion points:**

- Jeff Trinker, Executive Director of Support Services gave an overview of the item regarding Ordinance No. 2014-13.
- After a brief discussion by Council, the following two revisions were made to the Ordinance.
- **Sec. 23-31. – Same-Location. (b)**
  1. Change curb to "in the street right of way"
  2. Change 5:00 p.m. to 12:00 p.m. (noon) the day before collection
- Councilor Euton stated she likes encouraging citizens to put their garbage cans out but feels it is an invasion of personal liberties and she does not feel she should restrict that. Hopefully they would have enough pride to improve their neighborhoods without those restrictions.

**Action:** Councilor Benton made a motion, seconded by Councilor Bolf to approve, with the changes indicated, Ordinance No. 2014-13, an Ordinance amending the Code of Ordinances by deleting Sections 23-27, 23-29, and 23-31 of Article II of Chapter 23 thereof and substituting therefor new Sections 23-27, 23-29, and 23-31; providing for curbside solid waste collection, guidelines for solid waste and/or recycling carts, and establishing specific times for the placement of said carts out for service; and providing for severability. *The motion carried by a vote of 6 to 1 as follows: Yeses: Mayor Morales, Councilor Benton, McConathy, Pena, Grigar and Bolf. No: Councilor Euton.*

8. **CONSIDER MOTION TO ADJOURN FOR EXECUTIVE SESSION.**

**Action:** Councilor McConathy made a motion, seconded by Councilor Grigar to adjourn for Executive Session. The motion carried by a unanimous vote.

9. **HOLD EXECUTIVE SESSION TO CONSULT WITH CITY ATTORNEY TO RECEIVE LEGAL ADVICE ON LEGAL MATTERS PURSUANT TO SECTION 551.071 OF THE TEXAS GOVERNMENT CODE; FOR DELIBERATIONS REGARDING THE POTENTIAL PURCHASE, EXCHANGE, LEASE, OR VALUE OF REAL PROPERTY PURSUANT TO SECTION 551.072 OF THE TEXAS GOVERNMENT CODE; AND, FOR DELIBERATIONS REGARDING PERSONNEL MATTERS, TO DELIBERATE THE APPOINTMENT AND EMPLOYMENT OF POLICE CHIEF AS AUTHORIZED BY SECTION 551.074 OF THE TEXAS GOVERNMENT CODE.**

An Executive Session was held to consult with City Attorney to receive legal advice on legal matters pursuant to Section 551.071 of the Texas Government Code; for deliberations regarding the potential purchase, exchange, lease, or value of real property pursuant to Section 551.072 of the Texas Government Code; and, for deliberations regarding personnel matters, to deliberate the appointment and employment of Police Chief as authorized by Section 551.074 of the Texas Government Code.

10. **ADJOURN EXECUTIVE SESSION, RECONVENE INTO REGULAR SESSION, AND TAKE ACTION AS NECESSARY AS A RESULT OF EXECUTIVE SESSION.**

**Action:** Councilor Benton made a motion, seconded by Councilor McConathy to approve the employment contract for Dallis Warren, Police Chief. The motion carried by a unanimous vote.

11. **ANNOUNCEMENTS.**

- Special Council Meeting Monday, March 24, 2014 for presentations on the operation and maintenance of the wastewater treatment plants' contract.
- Special Workshop Council Meeting Tuesday, March 25, 2014.

12. **ADJOURNMENT.**

There being no further business Mayor Morales adjourned the meeting at 9:25 p.m.

  
Linda Cernosek, TRMC, City Secretary